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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

STAN P. HARRIS,	)	1:10-cv-01220 AWI GSA
Plaintiff,	)	<b>ORDER TO SHOW CAUSE</b>
v.	)	
MICHAEL ASTRUE, Commissioner of	)	
Social Security,	)	
Defendant.	)	
_____	)	

On July 6, 2010, Plaintiff Stan P. Harris filed the present action in this Court. Plaintiff seeks review of the Commissioner’s denial of an application for benefits. (Doc. 1.) On July 7, 2010, the Court issued a Scheduling Order. (Doc. 7).

The Scheduling Order states that within 120 days after service, Defendant shall file and serve a copy of the administrative record which shall be deemed an answer to the complaint. The Order also provides that within thirty (30) days after service of the administrative record, Plaintiff shall serve on Defendant a confidential letter brief outlining why remand is warranted which Defendant shall respond to within thirty-five (35) days. In the event Defendant does not stipulate to remand, within thirty (30) days of Defendant’s response, Plaintiff must file and serve

1 an opening brief. Thereafter, Defendant is to file a response to Plaintiff's opening brief within  
2 thirty days. (Doc. 7, ¶ 2-7.)

3 On November 22, 2010, Defendant lodged the administrative record. (Doc. 14). On  
4 January 24, 2011, Plaintiff filed his opening brief. (Doc. 15). On February 24, 2011, this Court  
5 permitted Defendant an extension of time "**to and including March 24, 2011,**" within which to  
6 file an opposing brief. (Doc. 17, emphasis in original.) To date, Defendant has failed to file an  
7 opposition brief and the parties have not stipulated to an extension of time for such filing.

8 Therefore, Defendant is ordered to show cause why sanctions should not be imposed for a  
9 failure to comply with the Order Regarding Motion to Extend Time signed February 24, 2011.  
10 Defendant is ORDERED to file a written response to this Order to Show Cause NO LATER  
11 THAN April 8, 2011. If Defendant desires more time to file a brief, it should so state in the  
12 response. Failure to respond to this Order to Show Cause could result in the imposition of  
13 sanctions.

14 IT IS SO ORDERED.

15 Dated: April 4, 2011

15 /s/ Gary S. Austin  
16 UNITED STATES MAGISTRATE JUDGE